

# Senate Study Bill 1266

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
APPROPRIATIONS BILL BY  
CO=CHAIRPERSONS ANGELO  
AND DVORSKY)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to appropriation matters by making and increasing  
2 appropriations for the fiscal year beginning July 1, 2004, and  
3 providing effective and applicability date provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 3038XC 81  
6 jp/gg/14

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1 1 DIVISION I  
1 2 ADMINISTRATION AND REGULATION  
1 3 Section 1. 2004 Iowa Acts, chapter 1175, section 7, is  
1 4 amended to read as follows:  
1 5 SEC. 7. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There  
1 6 is appropriated from the general fund of the state to the Iowa  
1 7 ethics and campaign disclosure board for the fiscal year  
1 8 beginning July 1, 2004, and ending June 30, 2005, the  
1 9 following amount, or so much thereof as is necessary, for the  
1 10 purposes designated:  
1 11 For salaries, support, maintenance, and miscellaneous  
1 12 purposes, and for not more than the following full-time  
1 13 equivalent positions:  
1 14 ..... \$ 411,296  
1 15 ..... 418,796  
1 16 ..... FTEs 6.00  
1 17 GOVERNOR AND LIEUTENANT GOVERNOR  
1 18 Sec. 2. 2004 Iowa Acts, chapter 1175, section 12,  
1 19 subsection 4, is amended to read as follows:  
1 20 4. NATIONAL GOVERNORS ASSOCIATION  
1 21 For payment of Iowa's membership in the national governors  
1 22 association:  
1 23 ..... \$ 64,393  
1 24 ..... 364,393  
1 25 Of the funds appropriated in this subsection, \$300,000 is  
1 26 allocated for security-related costs and other expenses  
1 27 associated with the national governors association national  
1 28 meeting. Notwithstanding section 8.33, the moneys allocated  
1 29 for the meeting that remain unencumbered or unobligated at the  
1 30 close of the fiscal year shall not revert but shall remain  
1 31 available for expenditure for the purposes designated until  
1 32 the close of the succeeding fiscal year.  
1 33 RACING AND GAMING COMMISSION  
1 34 Sec. 3. 2004 Iowa Acts, chapter 1175, section 16,  
1 35 subsection 2, is amended to read as follows:  
2 1 2. EXCURSION BOAT REGULATION  
2 2 There is appropriated from the general fund of the state to  
2 3 the racing and gaming commission of the department of  
2 4 inspections and appeals for the fiscal year beginning July 1,  
2 5 2004, and ending June 30, 2005, the following amount, or so  
2 6 much thereof as is necessary, to be used for the purposes  
2 7 designated:  
2 8 For salaries, support, maintenance, and miscellaneous  
2 9 purposes for administration and enforcement of the excursion  
2 10 boat gambling laws, and for not more than the following full-  
2 11 time equivalent positions:  
2 12 ..... \$ 1,806,048  
2 13 ..... 1,856,048  
2 14 ..... FTEs 30.22

2 15 Of the funds appropriated in this subsection, \$50,000 is  
2 16 allocated for costs associated with the examination of new  
2 17 gaming license applications.

2 18 DIVISION II  
2 19 ECONOMIC DEVELOPMENT

2 20 Sec. 4. Section 8.8, Code 2005, is amended to read as  
2 21 follows:  
2 22 8.8 SPECIAL OLYMPICS FUND == APPROPRIATION.  
2 23 A special olympics fund is created in the office of the  
2 24 treasurer of state under the control of the department of  
2 25 management. There is appropriated annually from the general  
2 26 fund of the state to the special olympics fund ~~thirty~~ forty=  
2 27 five thousand dollars for distribution to one or more  
2 28 organizations which administer special olympics programs  
2 29 benefiting the citizens of Iowa with disabilities.

2 30 Sec. 5. 2004 Iowa Acts, chapter 1175, section 50, is  
2 31 amended by adding the following new subsections:  
2 32 NEW SUBSECTION. 5. For sole source grant costs associated  
2 33 with the hosting of the national special olympics in Iowa by a  
2 34 special olympics nonprofit entity, in addition to the amount  
2 35 appropriated for this purpose in 2004 Iowa Acts, chapter 1175,  
3 1 section 288, subsection 6, paragraph "b":  
3 2 ..... \$ 500,000  
3 3 Notwithstanding section 8.33, moneys appropriated in this  
3 4 subsection that remain unencumbered or unobligated at the  
3 5 close of the fiscal year shall not revert but shall remain  
3 6 available for expenditure for the purpose designated until the  
3 7 close of the fiscal year that begins July 1, 2006.

3 8 NEW SUBSECTION. 6. For distribution to one or more  
3 9 organizations which administer special olympics programs  
3 10 benefiting citizens of Iowa with disabilities:  
3 11 ..... \$ 10,000

3 12 Sec. 6. EFFECTIVE DATE. The section of this division of  
3 13 this Act amending section 8.8 takes effect July 1, 2005.

3 14 DIVISION III  
3 15 HEALTH AND HUMAN SERVICES  
3 16 DEPARTMENT OF HUMAN SERVICES

3 17 Sec. 7. 2004 Iowa Acts, chapter 1175, section 116,  
3 18 unnumbered paragraph 2, is amended to read as follows:  
3 19 For medical assistance reimbursement and associated costs  
3 20 as specifically provided in the reimbursement methodologies in  
3 21 effect on June 30, 2004, except as otherwise expressly  
3 22 authorized by law, including reimbursement for abortion  
3 23 services, which shall be available under the medical  
3 24 assistance program only for those abortions which are  
3 25 medically necessary:  
3 26 ..... ~~\$352,794,101~~  
3 27 416,394,101

3 28 Sec. 8. 2004 Iowa Acts, chapter 1175, section 118,  
3 29 unnumbered paragraph 2, is amended to read as follows:  
3 30 For medical contracts, including salaries, support,  
3 31 maintenance, and miscellaneous purposes, and for not more than  
3 32 the following full-time equivalent position:  
3 33 ..... \$ ~~9,725,035~~  
3 34 10,725,035  
3 35 ..... FTEs 1.00

4 1 Of the amount appropriated in this section, \$1,000,000 is  
4 2 allocated for implementation costs for the Iowa Medicaid  
4 3 enterprise initiative.

4 4 Sec. 9. 2004 Iowa Acts, chapter 1175, section 130,  
4 5 subsections 1 and 2, are amended to read as follows:  
4 6 1. For the state resource center at Glenwood for salaries,  
4 7 support, maintenance, and miscellaneous purposes:  
4 8 ..... \$ ~~8,550,280~~  
4 9 9,550,280

4 10 2. For the state resource center at Woodward for salaries,  
4 11 support, maintenance, and miscellaneous purposes:  
4 12 ..... \$ ~~4,520,459~~  
4 13 5,520,459

4 14 Sec. 10. 2004 Iowa Acts, chapter 1175, section 131, is  
4 15 amended to read as follows:  
4 16 SEC. 131. MI/MR/DD STATE CASES. There is appropriated  
4 17 from the general fund of the state to the department of human  
4 18 services for the fiscal year beginning July 1, 2004, and  
4 19 ending June 30, 2005, the following amount, or so much thereof  
4 20 as is necessary, to be used for the purpose designated:  
4 21 For purchase of local services for persons with mental  
4 22 illness, mental retardation, and developmental disabilities  
4 23 where the client has no established county of legal  
4 24 settlement:  
4 25 ..... \$ ~~11,014,619~~

4 26 11,264,619

4 27 The general assembly encourages the department to continue  
4 28 discussions with the Iowa state association of counties and  
4 29 administrators of county central point of coordination offices  
4 30 regarding proposals for moving state cases to county budgets.

4 31 Sec. 11. 2004 Iowa Acts, chapter 1175, section 134,  
4 32 subsection 1, unnumbered paragraph 2, is amended to read as  
4 33 follows:

4 34 For costs associated with the commitment and treatment of  
4 35 sexually violent predators in the unit located at the state  
5 1 mental health institute at Cherokee, including costs of legal  
5 2 services and other associated costs, including salaries,  
5 3 support, maintenance, and miscellaneous purposes:

5 4 ..... \$ 2,833,646  
5 5 3,608,646

5 6 DIVISION IV  
5 7 JUSTICE SYSTEM  
5 8 DEPARTMENT OF JUSTICE

5 9 Sec. 12. 2004 Iowa Acts, chapter 1175, section 180,  
5 10 subsection 1, paragraph a, is amended to read as follows:

5 11 a. For the general office of attorney general for  
5 12 salaries, support, maintenance, miscellaneous purposes  
5 13 including the prosecuting attorneys training program, victim  
5 14 assistance grants, office of drug control policy (ODCP)  
5 15 prosecuting attorney program, legal services for persons in  
5 16 poverty grants as provided in section 13.34, odometer fraud  
5 17 enforcement, and for not more than the following full-time  
5 18 equivalent positions:

5 19 ..... \$ 7,565,245  
5 20 8,165,245  
5 21 ..... FTEs 208.50

5 22 (1) It is the intent of the general assembly that as a  
5 23 condition of receiving the appropriation provided in this  
5 24 lettered paragraph, the department of justice shall maintain a  
5 25 record of the estimated time incurred representing each agency  
5 26 or department.

5 27 (2) Of the amount appropriated in this lettered paragraph,  
5 28 \$600,000 is allocated as additional funding for the legal  
5 29 services for persons in poverty grants as provided in section  
5 30 13.34. Notwithstanding section 8.33, moneys allocated in this  
5 31 subparagraph that remain unencumbered or unobligated at the  
5 32 close of the fiscal year shall not revert but shall remain  
5 33 available for expenditure for the purposes designated until  
5 34 the close of the succeeding fiscal year.

5 35 DEPARTMENT OF CORRECTIONS == FACILITIES

6 1 Sec. 13. 2004 Iowa Acts, chapter 1175, section 183,  
6 2 subsection 1, paragraph c, is amended to read as follows:  
6 3 c. For the operation of the Oakdale correctional facility,  
6 4 including salaries, support, maintenance, and miscellaneous  
6 5 purposes:

6 6 ..... \$ 23,536,936  
6 7 23,636,936

6 8 Of the funds allocated in this paragraph "c", \$100,000 is  
6 9 allocated for the costs of remodeling and construction to  
6 10 establish a specialized 24-bed mental health unit for  
6 11 offenders who are not ordered to inpatient mental health  
6 12 treatment. The unit shall operate as an adjunct to the  
6 13 licensed hospital program within the Oakdale correctional  
6 14 facility.

6 15 DEPARTMENT OF CORRECTIONS == ADMINISTRATION

6 16 Sec. 14. 2004 Iowa Acts, chapter 1175, section 184,  
6 17 subsection 1, paragraph a, unnumbered paragraph 1, is amended  
6 18 to read as follows:

6 19 For general administration, including salaries, support,  
6 20 maintenance, employment of an education director to administer  
6 21 a centralized education program for the correctional system,  
6 22 and miscellaneous purposes:

6 23 ..... \$ 2,784,393  
6 24 3,198,809

6 25 Sec. 15. 2004 Iowa Acts, chapter 1175, section 188, is  
6 26 amended to read as follows:

6 27 SEC. 188. STATE PUBLIC DEFENDER. There is appropriated  
6 28 from the general fund of the state to the office of the state  
6 29 public defender of the department of inspections and appeals  
6 30 for the fiscal year beginning July 1, 2004, and ending June  
6 31 30, 2005, the following amounts, or so much thereof as is  
6 32 necessary, to be allocated as follows for the purposes  
6 33 designated:

6 34 1. For salaries, support, maintenance, and miscellaneous  
6 35 purposes, and for not more than the following full-time  
7 1 equivalent positions:

7 2 ..... \$ ~~16,663,446~~  
 7 3 ..... 18,247,561  
 7 4 ..... FTEs 202.00  
 7 5 2. For the fees of court-appointed attorneys for indigent  
 7 6 adults and juveniles, in accordance with section 232.141 and  
 7 7 chapter 815:  
 7 8 ..... \$ ~~19,355,297~~  
 7 9 ..... 22,251,339  
 7 10 DEPARTMENT OF PUBLIC DEFENSE  
 7 11 Sec. 16. 2004 Iowa Acts, chapter 1175, section 191,  
 7 12 subsection 1, is amended to read as follows:  
 7 13 1. MILITARY DIVISION  
 7 14 For salaries, support, maintenance, miscellaneous purposes,  
 7 15 and for not more than the following full-time equivalent  
 7 16 positions:  
 7 17 ..... \$ ~~5,084,143~~  
 7 18 ..... 10,837,143  
 7 19 ..... FTEs 310.80  
 7 20 Of the amount appropriated in this subsection, \$5,753,000  
 7 21 is allocated for repayment of grant funding to the federal  
 7 22 government and the accrued interest.  
 7 23 If there is a surplus in the general fund of the state for  
 7 24 the fiscal year ending June 30, 2005, within 60 days after the  
 7 25 close of the fiscal year, the military division may incur up  
 7 26 to an additional \$500,000 in expenditures from the surplus  
 7 27 prior to transfer of the surplus pursuant to section 8.57.  
 7 28 DEPARTMENT OF PUBLIC SAFETY  
 7 29 Sec. 17. 2004 Iowa Acts, chapter 1175, section 192, is  
 7 30 amended by adding the following new subsection:  
 7 31 NEW SUBSECTION. 1A. For capitol building and judicial  
 7 32 building security:  
 7 33 ..... \$ 800,000  
 7 34 Moneys appropriated in this subsection shall not be  
 7 35 expended, encumbered, or obligated prior to July 1, 2005.  
 8 1 Notwithstanding section 8.33, moneys appropriated in this  
 8 2 subsection that remain unencumbered or unobligated at the  
 8 3 close of the fiscal year shall not revert but shall remain  
 8 4 available for expenditure for the purpose designated until the  
 8 5 close of the succeeding fiscal year.  
 8 6 Sec. 18. 2004 Iowa Acts, chapter 1175, section 192,  
 8 7 subsection 2, unnumbered paragraph 1, is amended to read as  
 8 8 follows:  
 8 9 For the division of criminal investigation and bureau of  
 8 10 identification, including the state's contribution to the  
 8 11 peace officers' retirement, accident, and disability system  
 8 12 provided in chapter 97A in the amount of 17 percent of the  
 8 13 salaries for which the funds are appropriated, to meet federal  
 8 14 fund matching requirements, and for not more than the  
 8 15 following full-time equivalent positions:  
 8 16 ..... \$ ~~14,058,510~~  
 8 17 ..... 14,208,510  
 8 18 ..... FTEs 221.50  
 8 19 Sec. 19. 2004 Iowa Acts, chapter 1175, section 193, is  
 8 20 amended to read as follows:  
 8 21 SEC. 193. CIVIL RIGHTS COMMISSION. There is appropriated  
 8 22 from the general fund of the state to the Iowa state civil  
 8 23 rights commission for the fiscal year beginning July 1, 2004,  
 8 24 and ending June 30, 2005, the following amount, or so much  
 8 25 thereof as is necessary, to be used for the purposes  
 8 26 designated:  
 8 27 For salaries, support, maintenance, miscellaneous purposes,  
 8 28 and for not more than the following full-time equivalent  
 8 29 positions:  
 8 30 ..... \$ ~~825,752~~  
 8 31 ..... 881,752  
 8 32 ..... FTEs 28.00  
 8 33 The Iowa state civil rights commission may enter into a  
 8 34 contract with a nonprofit organization to provide legal  
 8 35 assistance to resolve civil rights complaints.  
 9 1 DIVISION V  
 9 2 Sec. 20. EFFECTIVE DATE. Unless specifically provided  
 9 3 otherwise, this Act, being deemed of immediate importance,  
 9 4 takes effect upon enactment.  
 9 5 EXPLANATION  
 9 6 This bill relates to appropriation matters by making and  
 9 7 increasing appropriations for the fiscal year beginning July  
 9 8 1, 2004. Unless stated otherwise, the affected appropriations  
 9 9 are from the general fund of the state. The bill is organized  
 9 10 into divisions.  
 9 11 ADMINISTRATION AND REGULATION. This division provides  
 9 12 supplemental appropriations to the Iowa ethics and campaign

9 13 disclosure board, offices of the governor and lieutenant  
9 14 governor for the security costs and other expenses associated  
9 15 with the national meeting of the national governor's  
9 16 association, and the racing and gaming commission of the  
9 17 department of inspections and appeals for examination of new  
9 18 gaming license applications.

9 19 ECONOMIC DEVELOPMENT. This division provides a  
9 20 supplemental appropriation to the department of economic  
9 21 development to be used for sole source grant costs associated  
9 22 with the hosting of the national special olympics in Iowa by a  
9 23 special olympics nonprofit entity, to supplement an  
9 24 appropriation made for this purpose from the rebuild Iowa  
9 25 infrastructure fund. The appropriation does not revert until  
9 26 the close of fiscal year 2005=2006. In addition, beginning in  
9 27 FY 2005=2006 the standing appropriation for distribution to  
9 28 one or more organizations administering special olympics  
9 29 programs in this state is increased.

9 30 HEALTH AND HUMAN SERVICES. This division provides  
9 31 supplemental appropriations to the department of human  
9 32 services for the medical assistance (Medicaid) program,  
9 33 Medicaid medical contracts, state resource centers, the unit  
9 34 for commitment and treatment of sexually violent predators,  
9 35 and mental illness, mental retardation, and developmental  
10 1 disabilities state cases. The appropriation for state cases  
10 2 does not revert until the close of FY 2005=2006.

10 3 JUSTICE SYSTEM. This division provides supplemental  
10 4 appropriations to the department of justice for the legal  
10 5 services for persons in poverty grants, the department of  
10 6 corrections for the Oakdale correctional facility to establish  
10 7 a mental health unit, the department of corrections for  
10 8 general administration, the state public defender, the  
10 9 department of public defense for repayment of a federal grant,  
10 10 the department of public safety for capitol building and  
10 11 judicial building security, the department of public safety  
10 12 division of criminal investigation and bureau of  
10 13 identification, and the civil rights commission. The  
10 14 appropriation for capitol building and judicial building  
10 15 security does not revert until the close of FY 2005=2006.

10 16 EFFECTIVE DATE. This division provides that the bill takes  
10 17 effect upon enactment, unless otherwise provided.

10 18 LSB 3038XC 81  
10 19 jp:mg/gg/14.1